



DEI 004 UTL  
Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

**Tyson J. Mackjust *et al.***

Serial No.: **10/699,009**

Filed: **October 30, 2003**

For: **MENU-DRIVEN REMOTE  
CONTROL TRANSMITTER**

Group Art Unit: **2636**

Examiner: **Van Thanh Trieu**

Attorney File No.: **DEI 004 UTL**

Final Office Action Mailed On: **1/17/2006**

**Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF  
PATENT APPEALS AND INTERFERENCES**

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the last decision of the Examiner, mailed on January 17, 2006, rejecting all claims of the instant application.

04/11/2006 CCHAU1 00000125 041160 10699009

01 FC:2401 250.00 DA

**CERTIFICATE OF MAILING  
(37 C.F.R. §1.8a)**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

April 6, 2006  
Date of Deposit

Anatoly S. Weiser

Name of Person Mailing Paper

Anatoly S. Weiser  
Signature of Person Mailing Paper

The fee for this Notice of Appeal is \$500.00 (37 C.F.R. § 41.20(b)(1)). Applicant claims small entity status. See 37 C.F.R. § 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is \$250.00. Authorization is hereby granted to charge this fee to Deposit Account No. 041160. A separate paper authorizing the charge is attached to this paper. The Final Office Action was mailed on January 17, 2006, and set a shortened statutory period of three months for reply. Because this paper is being filed timely within the set period, no time extension fee is due. If the Applicants' attorney is mistaken in this regard, Applicants conditionally petition for an extension of time under 37 CFR § 1.136(a)(3), and authorization is hereby granted to charge the required extension of time fee under 37 CFR § 1.17 to the same Deposit Account. Authorization is also granted to charge to the same Deposit Account all other fees, if any, necessary to file this paper.

Respectfully submitted,

Dated: April 6, 2006



Anatoly S. Weiser, Reg. No. 43,229  
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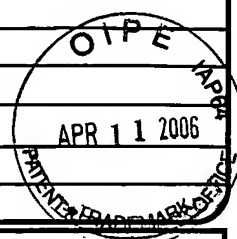
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2006**☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 250.00

**Complete if Known**

Application Number	10/699,009
Filing Date	October 30, 2003
First Named Inventor	Tyson J. Mackjust
Examiner Name	Van Thanh Trieu
Art Unit	2636
Attorney Docket No.	DEI 004 UTL

**METHOD OF PAYMENT (check all that apply)**
☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 041160 Deposit Account Name: Directed Electronics, Inc

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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**FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Multiple Dependent Claims</b>
- 20 or HP =	x	=		<b>Fee (\$)</b>
				<b>Fee Paid (\$)</b>

HP = highest number of total claims paid for, if greater than 20.

<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
- 3 or HP =	x	=	

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
- 100 =	/ 50 =	(round up to a whole number) x	=	

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Notice of Appeal**Fees Paid (\$)**

250.00

**SUBMITTED BY**

Signature	<i>Anatoly S. Weiser</i>	Registration No. (Attorney/Agent) 43,229	Telephone 858-720-9431
Name (Print/Type)	Anatoly S. Weiser	Date April 6, 2006	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/699,009
Filing Date	10/30/2003
First Named Inventor	Tyson J. Mackjust
Art Unit	2636
Examiner Name	Van Thanh Trieu
Attorney Docket Number	DEI 004 UTL

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Acknowledgement postcard
Remarks _____		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Anatoly S. Weiser, Esq.		
Signature			
Printed name	Anatoly S. Weiser		
Date	April 6, 2006	Reg. No.	43,229

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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Typed or printed name	Anatoly S. Weiser	Date	April 6, 2006

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